

1601 2nd Ave. North, Ste. 601
Great Falls, MT 59401



SENATE FISH AND GAME

EXHIBIT NO. 2

DATE 2-13-13

BILL NO. SB 278

Phone: (406) 454-8056

mrcdc@MissouriRiverCouncil.info

www.MissouriRiverCouncil.info

Senate Natural Resources Committee
Chairman Chas Vincent
Montana Senate
PO Box 200500
Helena, MT 59620-0500

Re: CMR Reserved Water Rights Compact, Draft Bill #LC1654, Bill Type #SB278

Dear Chairman Vincent and Members of the Senate Natural Resources Committee:

We support of the Reserved Water Rights Compact between the U. S. Fish and Wildlife Service (FWS) for the C.M. Russell National Wildlife Refuge (CMR) and the State of Montana. The year-long negotiation process has allowed for much public input and numerous iterations to reach an equitable and scientifically valid compact that meets the needs of the refuge and the needs of landowners within the subbasin.

In Jan 2012, the MT Reserved Water Rights Compact Commission (RWRCC) received a proposal from the U. S. Fish & Wildlife Service (FWS) for a compacted water right for the C. M. Russell National Wildlife Refuge (CMR). Following the first negotiation session in Mar 2012, the RWRCC asked the FWS to scale back their proposal in response to public comment and to bolster the scientific data on which they justified their proposal. A second negotiation session was held in May 2012. After that session, the RWRCC determined that the initial FWS proposal was not justified by the scientific data and determined to submit a counter-proposal.

The RWRCC participated in public meetings during the summer and fall as well as technical meetings with the FWS to generate a counter-proposal that was presented at a third negotiation session in Sep 2012. Based on further public feedback and additional public meetings during the fall, the RWRCC presented a draft compact at a fourth negotiation session in Nov 2012. Again in response to public comment and feedback from the FWS, the RWRCC revised the draft compact and presented the revisions at a fifth and final negotiation session on Jan 22, 2013. Then in Jan and Feb, the RWRCC presented the proposed compact at a series of four public comment meetings in the six-county area surrounding the CMR.

Based on the substantial opportunity for public comment and the willingness of both parties to incorporate public input, and the compromises made by both parties during the negotiation process, we feel that the RWRCC has worked directly with the FWS, members of the impacted communities, and counsel for the communities surrounding CMR to achieve a negotiated settlement.

We recommend that Draft Bill #LC1654 be approved in its current form with no edits.

Respectfully


Laurienne S. Riley
Coordinator

Gallatin Conservation District
Broadwater Conservation District
Lewis & Clark Conservation District
Cascade Conservation District
Chouteau County Conservation District

Blaine County Conservation District
Big Sandy Conservation District
Fergus Conservation District
Petroleum County Conservation District
Phillips Conservation District

Garfield County Conservation District
Valley County Conservation District
McCone Conservation District
Roosevelt County Conservation District
Richland County Conservation District